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UNITED STATES DISTRICT COURT

DISTRICT OF OREGON  
EUGENE DIVISION

PACIFIC GEOSOURCE, INC., an Oregon  
corporation,

Case No. 6:15-cv-2364

COMPLAINT

Plaintiff,

v.

GREEN PATCH ENVIRONMENTAL  
CONSULTING,

Defendant.

For its Complaint against Green Patch Environmental Consulting ("GPEC"), Pacific GeoSource, Inc. ("Pacific") alleges as follows:

1.

Pacific is an Oregon corporation, properly licensed and doing business in the state of Oregon. Pacific's principal place of business is located in Drain, Oregon.

2.

GPEC is a Canadian company with its principal place of business located in Edmonton, Alberta, Canada.

## **VENUE AND JURISDICTION**

**3.**

The court has jurisdiction over this matter under 28 USC §1332. Venue is proper in the Portland Division.

## **FIRST CLAIM FOR RELIEF**

### **(Count One - Account)**

**4.**

Pacific realleges paragraphs 1 through 3 above as if fully set forth herein.

**5.**

GPEC is indebted to Pacific in the principal sum of \$125,715.96 for the balance of an account for various materials sold and delivered by Pacific to GPEC, plus interest charges thereon at the rate of 9 percent per year from the date of the last invoice, until paid. A statement of GPEC's account is attached as Exhibit 1 and incorporated herein by this reference.

**6.**

Despite demand therefor, no part of GPEC's account balance has been paid or credited, and there is now due and owing from GPEC to Pacific the principal sum of \$125,715.96, plus accrued interest thereon at the rate of 9 percent per year from the date of the last invoice, until paid, plus Pacific's costs and disbursements incurred herein.

In the alternative, and only if Pacific's First Claim for Relief, Count One, is denied, Pacific alleges:

### **(Count Two - Goods Sold and Delivered)**

**7.**

Pacific realleges paragraphs 1 through 3 and 5 through 6 above as if fully set forth herein.

8.

Pacific, at the request of GPEC, sold and delivered goods and materials to GPEC of the agreed and reasonable value of \$125,715.96. Despite demand therefor, no part of said sum has been paid or credited.

9.

As a result, there is now due and owing from GPEC to Pacific the principal sum of \$125,715.96, plus accrued interest thereon at the rate of 9 percent per year from the date each invoice became due and owing, until paid, together with Pacific's costs and disbursements incurred herein.

WHEREFORE, Pacific prays for judgment as follows:

1. On Pacific's First Claim for Relief, Count One, for judgment against GPEC for the principal amount of \$125,715.96, plus accrued interest thereon at the rate of 9 percent per year from the date of the last invoice, until paid;
2. In the alternative, and only if Pacific's First Claim for Relief, Count One, is denied, for judgment against GPEC on Pacific's First Claim for Relief, Count Two, for judgment against GPEC in the principal sum of \$125,715.96, plus accrued interest thereon at the rate of 9 percent per year from the date each invoice became due and owing, until paid; and
3. For Pacific's costs and disbursements incurred herein.

DATED this 16<sup>th</sup> day of December, 2015.

SUSSMAN SHANK LLP

By /s/ William G. Fig

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(503) 227-1111

Attorneys for Pacific GeoSource, Inc.

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12/17/15

## Pacific GeoSource Inc.

## A/R Aging Detail

As of December 17, 2015

Type	Date	Num	P. O. #	Name	Terms	Due Date	Class	Aging	Open Balance
<b>Current</b>									
Total Current									
<b>1 - 30</b>									
Total 1 - 30									
<b>31 - 60</b>									
Total 31 - 60									
<b>61 - 90</b>									
Total 61 - 90									
<b>&gt; 90</b>									
Invoice	08/29/2014	101016	14081454	GPEC	Net 30	09/28/2014		445	2,333.69
Invoice	05/21/2015	101265	20724	GPEC:PO 20724	Net 30	06/20/2015		180	57,677.39
Invoice	06/16/2015	101288	20752	GPEC:PO 20752	Net 30	07/16/2015		154	65,705.88
Total > 90									125,716.96
<b>TOTAL</b>									<b>125,716.96</b>

Exhibit 1  
Page 1 of 1